



European Research Council
Executive Agency

Established by the European Commission

Brussels,
ERCEA

DATA PROTECTION NOTICE
ERCEA Communication Unit (A2)
Use of Audio-visual material
in relation to the implementation of the ERC programme

This statement concerns the **use of audio-visual material**, such as photos, visuals, videos and podcasts, for communication purposes across ERC channels to illustrate and to give more visibility to the ERC, its achievements and the research it funds.

Personal data is processed in order to collect, produce and disseminate audio-visual material while respecting legal obligations, including copyright mentions. This activity is therefore subject to Regulation (EU) 2018/1725 (Data Protection Regulation)¹.

1. What personal information do we collect, from where and for what purpose?

1.a) Personal data

The following personal data may be collected and processed on principal investigators of ERC grants and their team members who share this material, on ERC Scientific Council members, on holders of copyright and neighbouring rights to the audio-visual media, on registered participants in ERC events and any identifiable natural person appearing in a photo, video, sound recording or any other audio-visual content:

- First name and last name;
- Position and Organisation;
- Contact details including phone number, postal and email address;
- Country.

1.b) Purposes of the processing

Photos, visuals, videos and podcasts are published on the ERC website, publications and social media platforms. They are used before, during and after events, in newsletters to illustrate and to broaden the reach of ERC messages.

Personal data may be processed in order to:

¹ REGULATION (EU) 2018/1725 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

- ensure the preservation, distribution and communication to the public of current audio-visual production as well as images with an historical dimension (video, audio and photo) for the European Research Council.
- ensure the copyright compliance;
- respect legal obligations to the authors, contractors and third parties who may be appear on or transfer photos to the Agency.

1.c) From where the data is collected

Photos, videos and podcast may be taken and recorded by third parties, including Principal Investigators and beneficiaries funded by the ERC, who authorise the ERCEA to use them in the context of ERC's communication activities and release their copyrights. These materials typically feature ERC-funded researchers, their teams and their research. Researchers funded by the ERC are asked for their approval before their image, photo and videos are published.

Pictures and video material are bought on a case-by-case basis from an external database to which the ERCEA subscribes.

Photos, videos and podcast may be taken and recorded during ERC events by ERCEA staff, organisation partners or contractors. Participants in ERC events are informed in the invitation or when they register whether photos/videos will be taken during the event and, if so, how they will be used.

2. Who has access to your information and to whom is it disclosed?

Following persons have access to your personal data, on a **need-to-know basis**:

- authorised ERCEA staff from the communication unit.
- authorised staff members in the IT Unit (D.1) and DG DIGIT in charge of developing, hosting and maintaining the IT systems.

Photos, audiovisual material together with corresponding captions, credits and copyright information, that may contain personal data,

- may be available to the public when published on ERC communication channels (website, newsletters) and ERC social media platforms (Twitter, Facebook, LinkedIn, Youtube, Vimeo and Soundcloud, Flickr);
- may be sent to third parties, e.g. European Commission services, publishers, journalists, if data subjects have agreed via a statement of release or in writing for use on a particular occasion or for a specific article.

In addition, certain administrative details may be disclosed, in compliance with the relevant current legislation and established case law, and on a temporary basis to legislative or supervisory bodies of the ERCEA, as well as auditing bodies or courts.

3. What are your rights?

You are entitled to access the personal data the ERCEA holds about you and to have them rectified where necessary.

You also have the right to have your data erased and the right to object to processing.

To exercise any of these rights, you should apply to the Communication Head of Unit, who is responsible for such processing (i.e. the Controller), by sending an e-mail specifying your request to the mailbox indicated in point 5. Please note that in some cases restrictions under Article 25 of the Data protection regulation may apply.

As this processing of your personal data is based on your consent [point (d) of Article 5(1) of the Data Protection regulation], please note that you can withdraw it at any time, and this will have effect from the moment of your retraction. The processing based on your consent before its withdrawal will remain lawful.

4. How long do we keep your data?

Audio-visual material are available online and kept in dedicated folders on the ERCEA network for maximum of 10 years.

Personal data of historical relevance may be kept indefinitely as their destruction would be against the grounds for which they were taken and drafted.

5. Contact information

If you would like to receive further information, you can contact the responsible person (the Controller), ERCEA Communication Head of Unit ERC-INFO@ec.europa.eu.

The ERCEA Data Protection Officer is at your disposal for any clarification you might need on your rights under Regulation (EU) 2018/1725 at the following e-mail address: ERC-DATA-PROTECTION@ec.europa.eu

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

6. Legal basis

The legal bases applying to this processing operation are the following:

Article 5(1) of the Data protection regulation:

- (a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body,
- (d) the data subject has given consent to the processing of his or her personal data for one or more specific purposes²;

Specific legal basis:

- Commission Decision 2007/134/EC establishing the ERC, as amended by Commission Decision (2011/12/EU) of 12 January 2011;
- Commission implementing decision of 17 December 2013 establishing the European Research Council Executive Agency and repealing Decision 2009/37/EC.

² Participation in the event is voluntary.